

REMARKS

Claims 1 – 17 and 26 - 39 are pending in the present application. Claims 18 – 25, 40 and 41 are canceled by the present amendment.

Section 1 of the Office Action objects to the specification for failing to provide a proper antecedent basis for “semi-permanent paths that are established during the duration of a call”, as recited in claims 12 and 35. Applicants respectfully direct the Examiner’s attention to the specification, page 50, line 27, et seq., which describes tunneling as a means of setting up a semi-permanent path. In light of this description, Applicants request withdrawal of the objection to the specification.

In section 2 of the Office Action, claim 1 is objected to because of an informality. Applicants amended claim 1 to correct the informality. Withdrawal of the objection to claim 1 is respectfully solicited.

Claims 1 – 19 and 21 – 41 are rejected under several theories based on the disclosures of U.S. Patent No. 6,215,776 to Chao (hereinafter “the Chao patent”) and U.S. Patent No. 6,134,423 to Wiedeman et al. (hereinafter “the Wiedeman et al. patent”). The rejections are moot with respect to canceled claims 18 – 25, 40 and 41.

The present application contains three independent claims, namely claims 1, 17 and 39. Applicants note with appreciation that the Examiner indicated that claim 20 would be allowable if rewritten in independent form. Rather than rewrite claim 20, Applicants amended each of the independent claims to include a recital similar to that previously presented in claim 20.

Applicants also amended the independent claims to include a recital of “a direction of transmission, from source to destination or from destination to source”, as previously presented in claim 24. For example, claim 1 recites that multiple copies of a packet are selectively generated within the data communications network based on a criteria that includes at least one of (a) whether the packet was previously duplicated by a previous node, and (b) a direction of transmission, from source to destination or from destination to source.

Applicants have not found that either of the cited references includes a description or suggestion of multiple copies of a packet being selectively generated based on the criteria recited in claim 1. Thus, Applicants submit that claim 1 is both novel and patentable over the Chao and Wiedeman et al. patents, whether the patents are considered alone or in combination.

Independent claims 17 and 39 include recitals similar to that of claim 1, Thus, claims 1, 17 and 39, as well as all claims that depend therefrom, are both novel and patentable over the cited references.

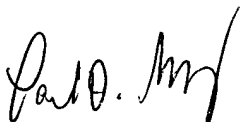
Applicants respectfully request reconsideration and withdrawal of the rejections of claims 1 – 19 and 21 – 41.

Applicants amended claims 1, 17 and 39 to correct informalities and to include relevant recitals previously presented in other claims. Such amendments are not intended to narrow the meaning of any term of any claim, and so, the Doctrine of Equivalents should be available for all of the terms of all of the claims.

In view of the foregoing, Applicants respectfully submit that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,

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